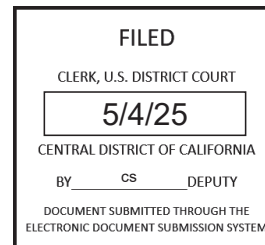


1 Todd R. G. Hill
2 119 Vine Street
3 Belton, TX 76513
4 +1 [661] 899-8899
5 toddryangregoryhill@gmail.com
6 *In Propria Persona*



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8 **UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA**

9
10 **WESTERN DIVISION**

11
12 **TODD R. G. HILL, et al,**

13
14 **Plaintiffs**

15
16 **vs.**

17 **THE BOARD OF DIRECTORS,
18 OFFICERS AND AGENTS AND
19 INDIVIDUALS OF THE PEOPLES
20 COLLEGE OF LAW, et al.,**

21
22 **Defendants.**

CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

**PLAINTIFF'S NOTICE OF
SUPPLEMENTAL OBJECTION TO LATE-
FILED DECLARATION (DOCKET 285)**

NO ORAL ARGUMENT REQUESTED

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**PLAINTIFF'S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

CASE 2:23-CV-01298-JLS-BFM

**PLAINTIFF’S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

Plaintiff respectfully submits this supplemental objection in response to Defendant Spiro’s late-filed declaration (Docket 285), which was submitted on Sunday, May 4, 2025, purporting to authenticate exhibits attached to his prior filings (Dockets 282 and 283).

Plaintiff notes that his Notice of Clarification and Supplemental Objection to Defendant Spiro’s Mischaracterized Reply, along with the supporting declaration, were submitted on May 1, 2025, and as of this filing remain pending administrative docketing. Plaintiff respectfully requests that these materials be considered part of the record in evaluating Defendant’s late-filed declaration and accompanying exhibits. Defendant offers no justification for the delay, and no motion for leave was filed.

Furthermore, without making any allegation of impropriety, Plaintiff respectfully notes that material filings submitted via EDSS on April 22, 2025, supported by confirmed tracking numbers, remained undocketed at the time the Court issued a dispositive ruling and at the time of this submission.

To the extent Defendant Spiro’s Declaration (Docket 285) purports to ‘authenticate’ exhibits that are substantively contested and tied directly to disputed claims, Plaintiff respectfully objects. The declaration improperly functions as a surrogate vehicle for disputed factual assertions, a likely attempt to reinforce a litigation narrative, rather than serve as a neutral procedural certification.

**PLAINTIFF’S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

CASE 2:23-CV-01298-JLS-BFM

1 Plaintiff does not concede the factual assertions embedded in the declaration and reiterates that many
2 of these materials are inadmissible for purposes of Rule 12(b)(6), particularly under *Khoja v.*
3 *Orexigen Therapeutics, Inc.*, 899 F.3d 988 (9th Cir. 2018). Moreover, the declaration lacks
4 independent verification of the documents' provenance, selectively excerpts or edits original records,
5 and omits metadata or institutional confirmation. As such, they cannot be used to override well-pled
6 allegations or resolve contested facts at this stage.
7
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10 **I. THE DECLARATION IS PROCEDURALLY IMPROPER AND CANNOT BE**
11 **USED TO REBUT WELL-PLED ALLEGATIONS OR CURE EARLIER**
12 **DEFECTS**

13 Docket 285 was filed on Sunday, May 4, 2025, after the applicable reply deadline under Local
14 Rule 7-10 had passed. The Court had not issued any order authorizing supplemental declarations or
15 altering the standard briefing schedule. Defendant Spiro filed neither a motion for leave nor a
16 showing of good cause for this late submission. Accordingly, the declaration constitutes an
17 unauthorized and untimely attempt to cure evidentiary defects and reinforce contested assertions
18 outside the bounds of proper Rule 12(b)(6) procedure.
19

20 The declaration appears designed to retroactively validate exhibits that Plaintiff has already
21 objected to as improperly submitted, unauthenticated, and outside the scope of judicial notice.
22

23 Courts within the Ninth Circuit routinely reject attempts to supplement the record at the Rule
24 12(b)(6) stage via late declarations that improperly seek to resolve factual disputes. See *Khoja v.*
25 *Orexigen Therapeutics, Inc.*, 899 F.3d 988, (9th Cir. 2018).
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**PLAINTIFF'S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

CASE 2:23-CV-01298-JLS-BFM

1 **II. PLAINTIFF HAS ALREADY PRESERVED HIS OBJECTIONS THROUGH**
2 **PRIOR FILINGS**

3 Plaintiff has submitted a proposed surreply and multiple evidentiary objections challenging the
4 admissibility, authenticity, and procedural timing of the exhibits attached to Dockets 282 and
5 283. (See tracking number: EDS-250501-001-9797, dated: 5/1/2025 at 8:04:47 PM titled,
6 “PLAINTIFF’S NOTICE OF CLARIFICATION AND SUPPLEMENTAL OBJECTION TO
7 DEFENDANT SPIRO’S MISCHARACTERIZED REPLY (DOCKET 283); DECLARATION OF
8 TODD R. G. HILL IN SUPPORT” and tracking number: EDS-250501-001-9789, dated: 5/1/2025
9 4:51:04 PM and titled, “PLAINTIFF’S EX PARTE APPLICATION FOR LEAVE TO FILE
10 SURREPLY AND PROPOSED SURREPLY”)

11 These objections remain fully incorporated herein and preserved.

12 **III. REQUEST FOR RELIEF**

13 Plaintiff respectfully requests that the Court:

- 14
- 15 1. Decline to consider Docket 285 for any purpose beyond noting its existence;
 - 16 2. Disregard the declaration and attached exhibits for purposes of resolving the pending motion
17 under Rule 12(b)(6); and
 - 18 3. If the Court elects to rely on any portion of Docket 285 in its ruling, provide Plaintiff an
19 opportunity to respond.
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**PLAINTIFF’S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

CASE 2:23-CV-01298-JLS-BFM

1 Plaintiff expressly reserves all rights to challenge any reliance on Docket 285 in a future motion
2 under Rule 59 or Rule 60, should the Court's ruling incorporate or reference the disputed declaration
3 or exhibits without affording Plaintiff the opportunity to respond.
4

5 This objection is made in good faith, to ensure the integrity of the record and prevent improper
6 procedural supplementation outside the bounds of the Federal Rules and Local Rules.
7

8 Respectfully submitted,
9

10 Dated: May 4, 2025
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15 Todd R. G. Hill
16 Plaintiff, Pro Se
17

18 **STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1**
19

20 The undersigned party certifies that this brief contains 695 words, which complies with the 7,000-
21 word limit of L.R. 11-6.1.

22 Respectfully submitted,
23

24 
25

26 May 4, 2025
27 Todd R.G. Hill
28 Plaintiff, in Propria Persona

**PLAINTIFF'S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

CASE 2:23-CV-01298-JLS-BFM

Plaintiff's Proof of Service

This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2) all pro se parties who have been granted leave to file documents electronically in the case pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P. 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

Respectfully submitted,



May 4, 2025
Todd R.G. Hill
Plaintiff, in Propria Persona

**PLAINTIFF'S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

CASE 2:23-CV-01298-JLS-BFM

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**PLAINTIFF'S NOTICE OF SUPPLEMENTAL OBJECTION TO LATE-FILED
DECLARATION (DOCKET 285)**

CASE 2:23-CV-01298-JLS-BFM